

MS ISSUE FEE  
PATENT  
1686-0108P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Yoko MOTODA et al. Group: 1636  
Application No.: 10/748,055 Examiner: James S. Ketter  
Filed: December 31, 2003 Conf. No.: 8334  
For: METHOD OF PRODUCING TEMPLATE DNA AND METHOD OF  
PRODUCING PROTEIN IN CELL-FREE PROTEIN SYNTHESIS SYSTEM  
USING THE SAME

**SECOND LETTER REQUESTING INITIALED PTO 1449 FORM**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

JAN 9 2007

Sir:

In reviewing the above-captioned application file, the undersigned has noted that even though the Examiner initialed the PTO 1449 Form filed on December 31, 2003, there is a line crossed through PCT references 99/14370, 99/20798 and 92/11390 because copies of the references were not provided. However, the references are foreign language equivalents of U.S. patents 6136568, 2002/0025525, and 5800984 respectively. The US patents were included among the references filed which were considered. The crossed out references are also listed on the International Search Report (ISR). Copies of the 1449 form and ISR are enclosed for the Examiner's convenience.

The Patent and Trademark Office therefore is respectfully requested to return the initialed form without the strike-through lines to the undersigned as soon as possible.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

JAN 9 2007

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
Mark J. Nuell, Ph.D., #36,623

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

DRN/djm

Form PTO-1449		ATTY. DOCKET NO. 1686-0108P		APPLICATION NO. NEW		
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)				APPLICANT MOTODA, Yoko et al		
FILING DATE December 31, 2003				GROUP 1636/AKHAYAN		
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS SUB CLASS	FILING DATE IF APPROPRIATE
PA	US 5,800,984	A	1998-09-01	Vary		
1	US 6,136,568	A	2000-10-24	Hiatt et al		
PA	US 2002/0025525	A1	2002-02-28	Shuber		
	US					
	US					
	US					
	US					
	US					
	US					
	US					
FOREIGN PATENT DOCUMENTS						
Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS SUB CLASS	TRANSLATION YES NO
WO	99/14370	A	1999-03-25	WO		ISR
WO	99/20798	A	1999-04-29	WO		ISR
WO	92/11390	A1	1992-07-09	WO		ISR
JP	09-234074	A	1997-09-09	JP		ISR
JP	4-91790	A	1992-03-25	JP		ISR
OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.						
Kigawa et al, Tanpakushitsu Kakusan Koso., 2002, vol. 47, no. 8, pages 1014 to 1019						
EXAMINER DATE CONSIDERED 08/18/04						
Examiner's initial citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						

Form PTO-1449				ATTY. DOCKET NO 1686-0108P		APPLICATION NO NEW			
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> (Use several sheets if necessary)				APPLICANT MOTODA, Yoko et al					
				FILING DATE December 31, 2003		GROUP			
<b>U.S. PATENT DOCUMENTS</b>									
EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE		
	US 5,800,984	A	1998-09-01	Vary					
	US 6,136,568	A	2000-10-24	Hiatt et al					
	US 2002/0025525	A1	2002-02-28	Shuber					
	US								
	US								
	US								
	US								
	US								
	US								
	US								
	US								
<b>FOREIGN PATENT DOCUMENTS</b>									
	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
								YES	NO
	WO	99/14370	A	1999-03-25	WO			ISR	
	WO	99/20798	A	1999-04-29	WO			ISR	
	WO	92/11390	A1	1992-07-09	WO			ISR	
	JP	09-234074	A	1997-09-09	JP			ISR	
	JP	4-91790	A	1992-03-25	JP			ISR	
<b>OTHER DOCUMENTS</b> (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)									
	Kigawa et al, Tanpakushitsu Kakusan Koso., 2002, vol. 47, no. 8, pages 1014 to 1019								
EXAMINER					DATE CONSIDERED				
<small>EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>									

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP02/06261

A. CLASSIFICATION OF SUBJECT MATTER  
Int.Cl.<sup>7</sup> C12Q1/68

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
Int.Cl.<sup>7</sup> C12Q1/68

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
JICST (JOIS), MEDLINE (STN), EPAT (QUESTEL)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	KIGAWA T, et al., High-throughput cell-free protein expression system for structural genomics and proteomics studies., Tanpakushitsu Kakusan Koso. (2002 Jun.), Vol.47, No.8, pages 1014 to 1019	1-13
A	WO 99/14370 A (HIATT A C), 25 March, 1999 (25.03.99), & US 6136568 A & EP 1015638 A1	1-13
A	WO 99/20798 A (EXACT LABORATORIES, INC.), 29 April, 1999 (29.04.99), & EP 1025265 A1 & US 20020025525 A1 & JP 2001-520054 A	1-13
A	WO 92/11390 A1 (IDEXX LAB. INC.), 09 July, 1992 (09.07.92), & US 5800984 A & EP 566670 A1	1-13

☒ Further documents are listed in the continuation of Box C.
 ☐ See patent family annex.

\* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"I" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search  
20 August, 2002 (20.08.02)Date of mailing of the international search report  
03 September, 2002 (03.09.02)Name and mailing address of the ISA/  
Japanese Patent Office

Authorized officer